

## FIFTEENTH DAY

(Continued)

(Friday, September 14, 1934)

The House met at 10 o'clock a. m., and was called to order by Speaker Stevenson.

## BILL RE-COMMITTED

On motion of Mr. Jones of Runnels, House Bill No. 44 was re-committed to the Committee on Education.

## RELATIVE TO THE PRINTING OF CERTAIN BILLS

Mr. Vaughan offered the following resolution:

Whereas, A large number of bills have been introduced in the House, and referred to various committees upon subjects not submitted by the Governor; and

Whereas, Said bills cannot be considered by the House unless, and until, the subject is so submitted; and

Whereas, Some of said bills are being reported by committees and are being printed at large expense to the State, while they cannot be considered by the House; now, therefore, be it

Resolved by the House, That all House committees be, and are hereby, directed not to authorize the printing of any bills upon any subject not submitted by the Governor.

The resolution was read second time, and was adopted.

## RELATIVE TO LOBBYING

Mr. Graves asked unanimous consent of the House to take up for consideration at this time, resolution offered on yesterday, by Mr. Hartzog, relative to lobbying, for the purpose of making the motion that the resolution be referred to the Committee on State Affairs.

There was no objection offered.

The Speaker laid the resolution before the House.

Mr. Graves moved that the resolution be referred to the Committee on State Affairs.

Mr. Head moved as a substitute motion that the resolution be referred to the Committee on Judiciary.

Question first recurring on the substitute motion by Mr. Head, it prevailed.

The motion as substituted was then adopted.

## RELATIVE TO CONSTRUCTION OF CERTAIN NEW DORMITORY FOR PENITENTIARY SYSTEM

Mr. Burns asked unanimous consent of the House to take up, for consideration at this time,

H. C. R. No. 15, Relative to the construction of certain new dormitory for Penitentiary System.

There was objection offered.

Mr. Burns moved that the House Rule relative to the time allotted for the consideration of resolutions, be suspended for the purpose of taking up the resolution.

The motion prevailed.

The Speaker then laid before the House, for consideration at this time, the following resolution:

H. C. R. No. 15, Relative to construction of new dormitory for Penitentiary System.

Whereas, The Texas Prison Board, in its regular meeting held at Houston, Texas, on the third day of September, 1934, voted to begin the construction "immediately" of a new farm dormitory building on the Central State Farm, at a cost of approximately \$40,000; and

Whereas, At the Regular Session of the Forty-third Legislature an appropriation was made in the sum of \$40,000 for the Texas Prison System in constructing one or more farm buildings; and

Whereas, Members of the Texas Prison Board and the manager of the Texas Prison System agreed with Members of the Legislature, verbally, that if this appropriation was allowed that the money would be used in constructing a new dormitory building on the Retrieve State Farm or the Darrington State Farm; and

Whereas, The Texas Prison Board, by voting to build this new dormitory building on the Central State Farm, has broken faith with the Legislature; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Texas Prison Board rescind their actions in voting to begin the "immediate construction" of a new dormitory building on the Central State Farm; and be it further

Resolved, That the Texas Prison Board use the \$40,000, or as much as is needed, appropriated in the Reg-

ular Session of the Forty-third Legislature, second year, in constructing a new dormitory building on the Retrieve State Farm or the Darrington State Farm at once; and be it further

Resolved, That the State Board of Control is hereby directed to not advertise for bids and or enter into contract with any contractor for materials used in building a new dormitory on the Central State Farm which is to be paid for out of any moneys appropriated by the Regular Session of the Forty-third Legislature; and be it further

Resolved, That the State Comptroller is hereby directed to not issue any warrants on the State of Texas, in payment for material used in constructing a new dormitory building on the Central State Farm which is to be paid out of any moneys appropriated at the Regular Session of the Forty-third Legislature; and be it further

Resolved, That the State Treasurer is hereby directed to not pay any warrants that might be issued to any contractor for materials used in constructing a new dormitory building on the Central State Farm out of any moneys appropriated by the Regular Session of the Forty-third Legislature.

Signed—Burns, Daniel, Hartzog, Chastain, Scott, Harman, Calvert, Harris, Good, Hodges, Canon, Aikin, Hyder, Wood, Hughes, Metcalfe, Beck, Barron, Johnson of Anderson, Palmer, Anderson, Butler, Lange, Atchison, Coombes, Clayton, Crossley, Lotief, Riddle, Rogers of Hunt, Greathouse, Jones of Runnels, Lindsey, Shults, Puryear, Reader.

The resolution was read second time.

Mr. Kayton moved that the resolution be referred to the Committee on Penitentiaries.

Mr. Burns moved to table the motion to refer the resolution.

The motion to table prevailed.

Question next recurring on the resolution, it was adopted.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, September 14, 1934.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 12, A bill to be entitled "An Act making certain emergency appropriations out of the General Revenue of the State of Texas for certain State eleemosynary institutions for providing enlarged facilities and inmates in said institutions, and declaring an emergency."

Respectfully,

BOB BARKER,  
Secretary of the Senate.

ADDRESS BY HON. JESSE E.  
ROACH AND HON. O. C.  
VENABLE

Hon. Jesse E. Roach, Democratic nominee for the Forty-fourth Legislature for the Forty-second District, was introduced to the House by the Speaker.

Mr. Roach then addressed the House.

Hon. O. C. Venable, Democratic nominee for the Forty-fourth Legislature of the One Hundredth District, was introduced by Speaker Stevenson, and addressed the House.

#### HOUSE BILL NO. 25 ON PASSAGE TO ENGROSSMENT

The Speaker laid before the House, as pending business, on its passage to engrossment,

H. B. No. 25, A bill to be entitled "An Act for the purpose of releasing the interest and penalties on all delinquent ad valorem and poll taxes that were delinquent on or before August 1, 1934, due the State, any county, city, school district, road district, levee improvement district, water improvement district, and water control and improvement district, and water control and improvement district, irrigation district, and other defined subdivisions of the State, provided same are paid on or before March 31, 1935, with an addition of one per cent (1%) on said taxes; provided, said taxes are paid after March 31, 1935, and on or before December 31, 1935, with an addition of two per cent (2%) on said taxes; and provided said taxes are paid after December 31, 1935, and on or before March 31, 1936, with an addition of four per cent (4%) on said taxes; etc., and declaring an emergency";

The bill having heretofore been read second time, with amendment by Mr. Russell, as substituted by amendment by Mr. Morrison, and amend-

ment by Mr. Stinson to the amendment by Mr. Morrison, pending.

Mr. Savage offered the following substitute for the amendment by Mr. Stinson:

Amend House Bill No. 25 by adding another section, to be properly numbered, as follows:

"Section —. The provisions of this Act shall not apply to cities, towns, villages, special school districts and independent school districts in all counties of this State having a population of less than 350,000 inhabitants according to the last preceding Federal Census, unless and until said provisions are adopted by proper resolution or ordinance of the governing body of any such city, town, village, special school district or independent school district."

On motion of Mr. Kayton, the amendment by Mr. Savage was tabled.

Mr. Scott moved to table the amendment by Mr. Stinson.

The motion to table prevailed.

Mr. Rogers of Ochiltree offered the following substitute for the amendment by Mr. Morrison:

Substitute for amendment to amendment to House Bill No. 25 by adding thereto the following paragraph:

"Provided, That the provisions of this Act shall not apply to independent school districts in counties of less than fifteen thousand population, if and when the governing body thereof, after a public hearing duly advertised, shall find that the facts do not warrant the best nor public interest require, the provisions of this Act to apply in said independent school district. Said findings shall be duly recorded in the minutes of the governing body."

On motion of Mr. Lindsey, the amendment was tabled.

Question recurring on the amendment by Mr. Russell, as substituted by amendment by Mr. Morrison, it was adopted.

Mr. Tarwater offered the following amendment to the bill:

Amend House Bill No. 25, page 2, by adding a new section after Section 1, to be known as Section 1-a:

"Section 1-a. All current ad valorem taxes paid in full in October, November and December of each

year such taxes are due shall be discounted five per cent."

TARWATER,  
METCALFE,  
LINDSEY.

Mr. Kayton raised a point of order on further consideration of the amendment, on the ground that the amendment violates certain constitutional provisions.

The Speaker sustained the point of order.

Mr. Wood offered the following amendment to the bill:

Amend House Bill No. 25 by inserting after Section 1 the following section and renumbering the remaining sections of the bill accordingly:

"Section 2. Nothing contained in Section 1 of this Act shall be construed as postponing, delaying or extending the time for the payment of delinquent taxes covered by this Act, nor as prohibiting, postponing or delaying the filing or prosecution of any suit or suits for the enforced collection of the same, and unless such delinquent taxes are paid within the time allowed in Section 1 hereof and prior to final judgment entered in any suit now pending or which may be hereafter filed to enforce the payment of such taxes, said taxes shall not be deemed to have been voluntarily paid under the terms of this Act and judgment shall be entered for the full amount of the taxes, penalties and interest and costs in the same manner as if this Act had never been passed."

WOOD,  
STINSON,  
HUGHES,  
HARRIS,  
CAVEN,  
LANGE.

Question—Shall the amendment by Mr. Wood be adopted?

#### SENATE BILL ON FIRST READING

The following Senate bill, received from the Senate today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

Senate Bill No. 12, to the Committee on Appropriations.

#### RECESS

On motion of Mr. Cowley, the House, at 12 o'clock m., took recess to 2 o'clock p. m., today.

## AFTERNOON SESSION

The House met at 2 o'clock p. m., and was called to order by the Speaker.

HOUSE BILL NO. 25 ON PASSAGE  
TO ENGROSSMENT

The House resumed consideration of pending business, same being,

H. B. No. 25, Relative to certain delinquent taxes;

The bill having heretofore been read second time, with amendment by Mrs. Hughes, Mr. Wood, and others, pending.

Mr. Walker moved the previous question on the pending amendment, the amendments on the Speaker's desk, and the bill, and the motion was duly seconded.

Question recurring on the motion for the main question, it was lost.

Mr. Lindsey moved to table the pending amendment by Mrs. Hughes and Mr. Wood.

The motion to table was lost.

Question next recurring on the amendment, yeas and nays were demanded.

The amendment was lost by the following vote:

## Yeas—59

Adamson.	Kyle of Hays.
Alexander.	Kyle of Palo Pinto.
Alsup.	Lange.
Atchison.	Lemens.
Barron.	Leonard.
Beck.	Metcalf.
Butler.	Mitcham.
Calvert.	Moffett.
Camp.	Moore.
Caven.	Morrison.
Clayton.	Munson.
Cowley.	Ratliff.
Dean.	Ray.
Devall.	Reed of Dallas.
Fain.	Riddle.
Glass.	Roark.
Graves.	Rogers
Hankamer.	of Ochiltree.
Harman.	Rollins.
Harris.	Russell.
Head.	Scarborough.
Hicks.	Steward.
Hunter.	Stinson.
Jackson.	Stubbeman.
James.	Tennyson.
Jefferson.	Townsend.
Johnson.	Van Zandt.
of Anderson.	Vaughan.
Jones of Atascosa.	Wagstaff.

Wells.  
Winningham.

Wood.

## Nays—64

Aikin.	Kayton.
Baker.	Laird.
Barrett.	Latham.
Bergman.	Lindsey.
Bourne.	Long.
Bradley.	Lotief.
Burns.	Mackay.
Canon.	Magee.
Celaya.	Mathis.
Chastain.	McCullough.
Colson.	McGregor.
Daniel.	Merritt.
Davidson.	Nicholson.
Engelhard.	Palmer.
Fisher.	Parkhouse.
Fuchs.	Pavlica.
Golson.	Pope.
Good.	Purveyer.
Goodman.	Ramsey.
Greathouse.	Reader.
Griffith.	Reed of Bowie.
Hartzog.	Rogers of Hunt.
Hill.	Scott.
Hodges.	Shannon.
Holekamp.	Smith.
Holland.	Stanfield.
Hoskins.	Stovall.
Huddleston.	Tarwater.
Hunt.	Thomas.
Hyder.	Walker.
Jones of Runnels.	Weinert.
Jones of Shelby.	Young.

## Present—Not Voting

Crossley. Hughes.

## Absent

Anderson.	Holloway.
Bedford.	McDougald.
Cathey.	Morse.
Coombes.	Patterson.
Dunlap.	Renfro.
Dunagan.	Roberts.
Duvall.	Savage.
Dwyer.	Shults.
Ford.	Turlington.
Harrison.	

## Absent—Excused

Hester.	McKee.
Johnson	Tillery.
of Dimmit.	

## PAIRED

Mrs. Hughes (present), who would vote "yea," with Mr. Coombes (absent), who would vote "nay."

Mr. Greathouse moved to reconsider the vote by which the amendment was lost, and to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

## Yeas—62

Aikin.	Latham.
Baker.	Lindsey.
Bergman.	Long.
Bourne.	Lotief.
Bradley.	Mackay.
Burns.	Magee.
Canon.	Mathis.
Celaya.	McCullough.
Chastain.	McDougald.
Colson.	McGregor.
Engelhard.	Merritt.
Fain.	Morrison.
Fisher.	Palmer.
Fuchs.	Parkhouse.
Golson.	Pavlica.
Goodman.	Pope.
Greathouse.	Puryear.
Griffith.	Ramsey.
Hartzog.	Reader.
Hicks.	Reed of Bowie.
Hodges.	Rogers of Hunt.
Holekamp.	Scott.
Holland.	Shannon.
Hoskins.	Smith.
Huddleston.	Stovall.
Hunt.	Tarwater.
Hyder.	Thomas.
Jefferson.	Walker.
Jones of Runnels.	Weinert.
Jones of Shelby.	Wood.
Laird.	Young.

## Nays—54

Adamson.	Jones of Atascosa.
Alexander.	Kyle of Hays.
Alsup.	Lange.
Atchison.	Leonard.
Barrett.	Metcalfe.
Barron.	Mitcham.
Beck.	Moffett.
Calvert.	Moore.
Camp.	Munson.
Caven.	Nicholson.
Cowley.	Ratliff.
Crossley.	Ray.
Daniel.	Reed of Dallas.
Dean.	Riddle.
Glass.	Roark.
Graves.	Rogers
Hankamer.	of Ochiltree.
Harman.	Rollins.
Harris.	Russell.
Head.	Scarborough.
Hill.	Steward.
Hughes.	Stinson.
Hunter.	Stubbeman.
Jackson.	Tennyson.
James.	Townsend.

Van Zandt.  
Vaughan.  
Wagstaff.

Wells.  
Winningham.

## Present—Not Voting

Stanfield.

## Absent

Anderson.	Harrison.
Bedford.	Holloway.
Butler.	Johnson
Cathey.	of Anderson.
Clayton.	Kayton.
Coombes.	Kyle of Palo Pinto.
Davidson.	Lemens.
Devall.	Morse.
Dunlap.	Patterson.
Dunagan.	Renfro.
Duvall.	Roberts.
Dwyer.	Savage.
Ford.	Shults.
Good.	Turlington.

## Absent—Excused

Hester.	McKee.
Johnson	Tillery.
of Dimmit.	

Mr. Wells moved the previous question on the pending amendment and the bill, and the motion was duly seconded.

Question recurring on the motion for the main question, it was lost.

Mr. Alsup offered the following amendment to the bill:

Amend House Bill No. 25, by adding the following at the end of Section 2 of the printed bill:

“Provided that the provisions of Section 2 shall not be applicable to non-resident taxpayers in any county in this State.”

Mr. Van Zandt raised a point of order on further consideration of the amendment, on the ground that the amendment violates certain constitutional provisions.

The Speaker sustained the point of order.

Mr. Walker offered the following amendment to the bill:

Amend House Bill No. 25, by adding a new section to be known as Section 3-a, as follows:

“One owing delinquent taxes may at any time pay to the collector at least one-fourth ( $\frac{1}{4}$ ) of the delinquent taxes due by paying the penalty on such one-fourth as required under time limitation provided in this Act,

and the tax collector shall give the necessary receipt for such payment."

WALKER,  
YOUNG,  
STOVALL.

The amendment was adopted.

Mr. Rogers of Ochiltree offered the following amendment to the bill:

Amend House Bill No. 25, by adding a new section after Section 4, to read as follows:

"Provided, That whenever a majority of the resident property tax-paying voters of any independent school district in counties of less than fifteen thousand population shall petition the governing body thereof, a public hearing shall be called to determine from the facts whether the conditions in said district warrant and require the provisions of this Act.

"If, after said public hearing, the governing body shall find that facts and conditions in said district are such that the public interest will not be served by the provisions of this Act, said governing body shall by resolution duly recorded, so declare, and the provisions of this Act shall not apply to said districts."

Mr. McGregor raised a point of order on further consideration of the amendment, on the ground that the amendment is unconstitutional, and that an amendment on the same subject has heretofore been defeated by the House.

The Speaker overruled the point of order.

Mr. Lotief moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—74

Adamson.	Fisher.
Alsup.	Fuchs.
Atchison.	Glass.
Baker.	Golson.
Beck.	Good.
Bergman.	Goodman.
Bourne.	Griffith.
Bradley.	Hankamer.
Burns.	Hartzog.
Canon.	Head.
Caven.	Hicks.
Celaya.	Hodges.
Chastain.	Holekamp.
Colson.	Holland.
Daniel.	Hoskins.
Davidson.	Huddleston.
Dunagan.	Hunt.
Fain.	Hunter.

Jackson.  
James.  
Kayton.  
Kyle of Palo Pinto.  
Lange.  
Latham.  
Lemens.  
Leonard.  
Lindsey.  
Long.  
Lotief.  
Magee.  
McCullough.  
McGregor.  
Merritt.  
Metcalf.  
Mitcham.  
Morrison.  
Nicholson.

Palmer.  
Parkhouse.  
Pope.  
Purveyar.  
Ramsey.  
Reader.  
Reed of Bowie.  
Renfro.  
Riddle.  
Russell.  
Shannon.  
Smith.  
Stubbeman.  
Thomas.  
Van Zandt.  
Walker.  
Weinert.  
Wells.  
Young.

Nays—29

Aikin.  
Alexander.  
Dean.  
Engelhard.  
Graves.  
Harris.  
Hill.  
Hughes.  
Jones of Atascosa.  
Jones of Runnels.  
Mackay.  
Moffett.  
Moore.  
Munson.  
Ratliff.

Ray.  
Roark.  
Rogers of Hunt.  
Rogers  
of Ochiltree.  
Rollins.  
Scarborough.  
Stanfield.  
Steward.  
Stinson.  
Stovall.  
Tarwater.  
Townsend.  
Vaughan.  
Wood.

Absent

Anderson.  
Barrett.  
Barron.  
Bedford.  
Butler.  
Calvert.  
Camp.  
Cathey.  
Clayton.  
Coombes.  
Cowley.  
Crossley.  
Devall.  
Dunlap.  
Duvall.  
Dwyer.  
Ford.  
Greathouse.  
Harman.  
Harrison.  
Holloway.

Hyder.  
Jefferson.  
Johnson  
of Anderson.  
Jones of Shelby.  
Kyle of Hays.  
Laird.  
Mathis.  
McDougald.  
Morse.  
Patterson.  
Pavlica.  
Reed of Dallas.  
Roberts.  
Savage.  
Scott.  
Shults.  
Tennyson.  
Turlington.  
Wagstaff.  
Winningham.

Absent—Excused

Hester.  
Johnson  
of Dimmit.

McKee.  
Tillery.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and to the body of the bill.

Question recurring on the engrossment of the bill, yeas and nays were demanded.

House Bill No. 25 was then passed to engrossment by the following vote:

## Yeas—91

Aikin.	Lemens.
Alexander.	Leonard.
Alsup.	Lindsey.
Atchison.	Long.
Baker.	Lotief.
Beck.	Mackay.
Bergman.	Magee.
Bourne.	McCullough.
Bradley.	McGregor.
Burns.	Merritt.
Canon.	Mitcham.
Celaya.	Moffett.
Chastain.	Morrison.
Colson.	Nicholson.
Daniel.	Palmer.
Davidson.	Parkhouse.
Dunlap.	Pope.
Dunagan.	Puryear.
Engelhard.	Ramsey.
Fain.	Ray.
Fisher.	Reader.
Fuchs.	Reed of Bowie.
Golson.	Reed of Dallas.
Good.	Renfro.
Goodman.	Riddle.
Greathouse.	Roark.
Griffith.	Rogers of Hunt.
Harris.	Rogers
Head.	of Ochiltree.
Hicks.	Rollins.
Hodges.	Russell.
Holekamp.	Scott.
Hoskins.	Shannon.
Huddleston.	Smith.
Hunt.	Stanfield.
Hunter.	Stovall.
Hyder.	Stubbeman.
Jackson.	Tarwater.
James.	Tennyson.
Jones of Atascosa.	Thomas.
Jones of Runnels.	Vaughan.
Jones of Shelby.	Wagstaff.
Kyle of Palo Pinto.	Walker.
Laird.	Weinert.
Lange.	Wells.
Latham.	Young.

## Nays—20

Adamson.	Hankamer.
Camp.	Harman.
Caven.	Hill.
Dean.	Hughes.
Glass.	Moore.
Graves.	Munson.

Ratliff.  
Scarborough.  
Steward.  
Stinson.

Townsend.  
Van Zandt.  
Winningham.  
Wood.

## Absent

Anderson.	Holland.
Barrett.	Holloway.
Barron.	Jefferson.
Bedford.	Johnson
Butler.	of Anderson.
Calvert.	Kayton.
Cathey.	Kyle of Hays.
Clayton.	Mathis.
Coombes.	McDougald.
Cowley.	Metcalfe.
Crossley.	Morse.
Devall.	Patterson.
Duvall.	Pavlica.
Dwyer.	Roberts.
Ford.	Savage.
Harrison.	Shults.
Hartzog.	Turlington.

## Absent—Excused

Hester.	McKee.
Johnson	Tillery.
of Dimmit.	

## HOUSE BILL NO. 25 ON THIRD READING

Mr. Pope moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 25 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—101

Aikin.	Golson.
Alexander.	Good.
Alsup.	Goodman.
Atchison.	Greathouse.
Baker.	Griffith.
Beck.	Harman.
Bergman.	Harris.
Bourne.	Hartzog.
Bradley.	Head.
Burns.	Hicks.
Camp.	Hodges.
Canon.	Holekamp.
Celaya.	Hoskins.
Chastain.	Huddleston.
Colson.	Hunt.
Daniel.	Hunter.
Davidson.	Hyder.
Dunlap.	Jackson.
Dunagan.	James.
Engelhard.	Jones of Atascosa.
Fain.	Jones of Runnels.
Fisher.	Jones of Shelby.
Fuchs.	Kayton.
Glass.	Kyle of Hays.

Kyle of Palo Pinto.	Reed of Bowie.
Laird.	Reed of Dallas.
Lange.	Renfro.
Latham.	Riddle.
Lemens.	Roark.
Leonard.	Rogers of Hunt.
Lindsey.	Rogers
Long.	of Ochiltree.
Lotief.	Rollins.
Mackay.	Russell.
Magee.	Scott.
McCullough.	Shannon.
McGregor.	Smith.
Merritt.	Stanfield.
Metcalf.	Steward.
Mitcham.	Stovall.
Moffett.	Stubbeman.
Morrison.	Tarwater.
Munson.	Tennyson.
Nicholson.	Thomas.
Palmer.	Vaughan.
Parkhouse.	Wagstaff.
Pope.	Walker.
Puryear.	Weinert.
Ramsey.	Wells.
Ratliff.	Winningham.
Ray.	Young.
Reader.	

## Nays—12

Adamson.	Moore.
Caven.	Scarborough.
Graves.	Stinson.
Hankamer.	Townsend.
Hill.	Van Zandt.
Hughes.	Wood.

## Absent

Anderson.	Harrison.
Barrett.	Holland.
Barron.	Holloway.
Bedford.	Jefferson.
Butler.	Johnson
Calvert.	of Anderson.
Cathey.	Mathis.
Clayton.	McDougald.
Coombes.	Morse.
Cowley.	Patterson.
Crossley.	Pavlica.
Dean.	Roberts.
Devall.	Savage.
Duvall.	Shults.
Dwyer.	Turlington.
Ford.	

## Absent—Excused

Hester.	McKee.
Johnson	Tillery.
of Dimmit.	

The Speaker then laid House Bill No. 25 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—98

Adamson.	Latham.
Aikin.	Lemens.
Alexander.	Leonard.
Alsup.	Lindsey.
Atchison.	Long.
Baker.	Lotief.
Beck.	Mackay.
Bergman.	Magee.
Bourne.	McCullough.
Bradley.	McGregor.
Burns.	Merritt.
Canon.	Mitcham.
Celaya.	Moffett.
Chastain.	Morrison.
Colson.	Nicholson.
Daniel.	Palmer.
Davidson.	Parkhouse.
Dunlap.	Pavlica.
Dunagan.	Pope.
Engelhard.	Puryear.
Fain.	Ramsey.
Fisher.	Ray.
Fuchs.	Reader.
Glass.	Reed of Bowie.
Golson.	Reed of Dallas.
Good.	Renfro.
Goodman.	Riddle.
Greathouse.	Roark.
Griffith.	Rogers of Hunt.
Harris.	Rogers
Hartzog.	of Ochiltree.
Head.	Rollins.
Hicks.	Russell.
Hodges.	Scarborough.
Holekamp.	Scott.
Hoskins.	Shannon.
Huddleston.	Smith.
Hunt.	Stanfield.
Hunter.	Stovall.
Hyder.	Stubbeman.
Jackson.	Tarwater.
James.	Tennyson.
Jones of Atascosa.	Thomas.
Jones of Runnels.	Vaughan.
Jones of Shelby.	Wagstaff.
Kayton.	Walker.
Kyle of Hays.	Weinert.
Kyle of Palo Pinto.	Wells.
Laird.	Young.
Lange.	

## Nays—16

Camp.	Munson.
Caven.	Ratliff.
Dean.	Steward.
Graves.	Stinson.
Hankamer.	Townsend.
Harman.	Van Zandt.
Hill.	Winningham.
Moore.	Wood.

## Present—Not Voting

Hughes.	Crossley.
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## Absent

Anderson.	Holland.
Barrett.	Holloway.
Barron.	Jefferson.
Bedford.	Johnson
Butler.	of Anderson.
Calvert.	Mathis.
Cathey.	McDougald.
Clayton.	Metcalfe.
Coombes.	Morse.
Cowley.	Patterson.
Devall.	Roberts.
Duvall.	Savage.
Dwyer.	Shults.
Ford.	Turlington.
Harrison.	

## Absent—Excused

Hester.	McKee.
Johnson	Tillery.
of Dimmit.	

## PAIRED

Mrs. Hughes (present), who would vote "nay," with Mr. Coombes (absent), who would vote "yea."

Mr. Crossley (present), who would vote "nay," with Mr. Duvall (absent), who would vote "yea."

Mr. Pope moved to reconsider the vote by which the bill was passed and asked to have the motion to reconsider spread on the Journal.

## NOTICE GIVEN

Mr. Pope gave notice that he would on the next legislative day call up the motion to reconsider the vote by which House Bill No. 25 was passed.

## REASONS FOR VOTES

We yote "nay" on the final passage of House Bill No. 25 for the reason that we believe the continuance of the remission of interest and penalties on delinquent taxes is an extremely bad public policy and is conducive to delinquency and to the further breakdown of the ad valorem system of taxation. While we have voted for such bills in the past, we did so because of emergency considerations and with no intention of establishing or encouraging such remissions as a State policy. While we signed this bill at the request of Mr. Pope as a matter of courtesy to aid him in securing its submission, we did not pledge ourselves to support it in any form it might take in its passage through the House, and advised him that it contained provisions which we could not support in

the event they should be carried through the bill in its final form.

BARRON,  
HARRISON.

## LEAVES OF ABSENCE GRANTED

Mr. Stanfield was granted leave of absence for yesterday, on account of important business, on motion of Mr. Moore.

Mr. McKee was granted leave of absence for this afternoon, on account of important business, on motion of Mr. Wood.

## HOUSE BILL NO. 49 ON SECOND READING

On motion of Mr. Lange, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 49, A bill to be entitled "An Act making an appropriation for the salary of either a special investigator, or an assistant district attorney for the Forty-ninth Judicial District of Texas, said appropriation to be in lieu of that made by the Regular Session of the Forty-third Legislature for an assistant district attorney for said district, and declaring an emergency."

The Speaker laid the bill before the House; it was read second time, and was passed to engrossment.

## HOUSE BILL NO. 49 ON THIRD READING

Mr. Lange moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 49 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—108

Adamson.	Caven.
Aikin.	Celaya.
Alexander.	Chastain.
Alsup.	Clayton.
Atchison.	Colson.
Baker.	Daniel.
Barron.	Davidson.
Beck.	Dean.
Bergman.	Dunlap.
Bourne.	Dunagan.
Bradley.	Engelhard.
Burns.	Fain.
Camp.	Fisher.
Canon.	Fuchs.

Glass.	Moore.
Golson.	Morrison.
Good.	Munson.
Goodman.	Nicholson.
Graves.	Palmer.
Greathouse.	Pavlica.
Griffith.	Pope.
Hankamer.	Puryear.
Harman.	Ramsey.
Harris.	Ratliff.
Hartzog.	Ray.
Head.	Reader.
Hicks.	Reed of Bowie.
Hill.	Reed of Dallas.
Hodges.	Renfro.
Holekamp.	Riddle.
Holland.	Roark.
Hoskins.	Rogers
Huddleston.	of Ochiltree.
Hunt.	Rollins.
Hunter.	Russell.
Hyder.	Scarborough.
Jackson.	Scott.
James.	Smith.
Jones of Atascosa.	Stanfield.
Jones of Runnels.	Steward.
Kyle of Hays.	Stinson.
Kyle of Palo Pinto.	Stovall.
Latham.	Stubbeman.
Lemens.	Tarwater.
Leonard.	Tennyson.
Long.	Thomas.
Lotief.	Townsend.
Mackay.	Van Zandt.
Magee.	Vaughan.
McCullough.	Walker.
McGregor.	Weinert.
Merritt.	Winningham.
Metcalf.	Wood.
Mitcham.	Young.
Moffett.	

## Nays—1

Lindsey.

## Absent

Anderson.	Jones of Shelby.
Barrett.	Kayton.
Bedford.	Laird.
Butler.	Lange.
Calvert.	Mathis.
Cathey.	McDougald.
Coombes.	Morse.
Cowley.	Parkhouse.
Crossley.	Patterson.
Devall.	Roberts.
Duvall.	Rogers of Hunt.
Dwyer.	Savage.
Ford.	Shannon.
Harrison.	Shults.
Holloway.	Turlington.
Hughes.	Wagstaff.
Jefferson.	Wells.
Johnson	
of Anderson.	

## Absent—Excused

Hester.	McKee.
Johnson	Tillery.
of Dimmit.	

The Speaker then laid House bill No. 49 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—103

Adamson.	Latham.
Aikin.	Lemens.
Alexander.	Leonard.
Alsup.	Long.
Atchison.	Lotief.
Baker.	Mackay.
Barron.	Magee.
Beck.	McCullough.
Bergman.	McGregor.
Bourne.	Merritt.
Bradley.	Metcalf.
Burns.	Mitcham.
Camp.	Moffett.
Canon.	Moore.
Caven.	Morrison.
Celaya.	Munson.
Chastain.	Nicholson.
Clayton.	Palmer.
Colson.	Parkhouse.
Daniel.	Pavlica.
Davidson.	Ramsey.
Dean.	Ratliff.
Dunlap.	Ray.
Dunagan.	Reader.
Fain.	Reed of Bowie.
Fisher.	Renfro.
Fuchs.	Riddle.
Glass.	Roark.
Golson.	Rogers of Hunt.
Good.	Rogers
Goodman.	of Ochiltree.
Graves.	Rollins.
Greathouse.	Russell.
Griffith.	Scarborough.
Hankamer.	Scott.
Harman.	Smith.
Hartzog.	Stanfield.
Head.	Steward.
Hodges.	Stinson.
Holekamp.	Stubbeman.
Holland.	Tarwater.
Hoskins.	Tennyson.
Huddleston.	Thomas.
Hughes.	Townsend.
Hyder.	Van Zandt.
Jackson.	Vaughan.
James.	Walker.
Jones of Atascosa.	Weinert.
Jones of Runnels.	Wells.
Kyle of Hays.	Winningham.
Kyle of Palo Pinto.	Wood.
Lange.	Young.

## Nays—5

Hunt.                      Puryear.  
Hunter.                   Stovall.  
Lindsey.

## Absent

Anderson.	Jefferson.
Barrett.	Johnson
Bedford.	of Anderson.
Butler.	Jones of Shelby.
Calvert.	Kayton.
Cathey.	Laird.
Coombes.	Mathis.
Cowley.	McDougald.
Crossley.	Morse.
Devall.	Patterson.
Duvall.	Pope.
Dwyer.	Reed of Dallas.
Engelhard.	Roberts.
Ford.	Savage.
Harris.	Shannon.
Harrison.	Shults.
Hicks.	Turlington.
Hill.	Wagstaff.
Holloway.	

## Absent—Excused

Hester.                      McKee.  
Johnson                  Tillery.  
of Dimmit.

## BILL ORDERED NOT PRINTED

(By Unanimous Consent)

On motion of Mr. Scott, House Bill No. 46 was ordered not printed.

## HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Jefferson:

H. B. No. 56, A bill to be entitled "An Act amending Chapter 19, House Bill 88, Acts of the Second Called Session of the Forty-third Legislature, declaring the policy of the Legislature to provide for the general welfare by co-operation with the Federal Government in making effective the provisions of the National Agricultural Adjustment Act and the National Recovery Act within the State of Texas with reference to producers, distributors, and processors of milk and milk products; defining certain terms used in the bill; providing for application to the Commissioner of Agriculture by groups engaged in the milk industry in counties having a population not less than 290,000 and

not more than 300,000; for the setting up of a code, codes, or agreement; authorizing local milk industry boards in said counties after hearing to set up and promulgate a code, codes, or agreements for fair competition for the milk industry; authorizing said board to impose such conditions as are necessary to make the codes effective and to establish rules and regulations for their conduct, providing penalties for violation of such codes; etc., and declaring an emergency."

Referred to Committee on Agriculture.

By Mr. Harman, Mr. Head, Mr. Kyle of Palo Pinto, Mr. Butler, and Mr. Hill:

H. B. No. 57, A bill to be entitled "An Act to aid the Brazos River Conservation and Reclamation District in preparing the necessary plans, specifications and data, and in making the necessary surveys, and in acquiring the necessary lands, leases, easements and/or acquittances, and in building, or having built and/or co-operating in the building of proper structures, reservoirs and levees suitable for the control, insofar as practicable of the flood waters of the Brazos River watershed, declared to be a public calamity, granting and donating to said district for a period of twenty years, all of the State ad valorem taxes in the following counties, which otherwise would go into the General Revenue Fund of the State of Texas, viz: Austin County, Brazoria County, Burleson County, Fort Bend County, Grimes County, Waller County, Washington County, Brazos County, Milam County, Robertson County, said grant being contingent upon the receiving by said district of a grant and/or loan and/or advancement from the United States of America of a sum sufficient to effect the performance of this Act; etc., and declaring an emergency."

Referred to Committee on Conservation and Reclamation.

## ADJOURNMENT

Mr. Riddle moved that the House adjourn until 10 o'clock a. m., next Monday.

Mr. Rogers of Ochiltree moved that the House adjourn until 10 o'clock a. m., tomorrow.

The motion of Mr. Riddle prevailed, and the House, accordingly, at 4:10 o'clock p. m., adjourned until 10 o'clock a. m., next Monday.

## APPENDIX

## STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

State Affairs: House Bill No. 45.

Judicial Districts: House Bill No. 46.

## SIXTEENTH DAY

(Monday, September 17, 1934)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Mr. Speaker.	Greathouse.
Adamson.	Griffith.
Aikin.	Hankamer.
Alexander.	Harman.
Alsup.	Harris.
Atchison.	Hartzog.
Baker.	Head.
Barrett.	Hicks.
Barron.	Hill.
Beck.	Hodges.
Bourne.	Holekamp.
Bradley.	Holland.
Burns.	Holloway.
Butler.	Hoskins.
Calvert.	Huddleston.
Camp.	Hughes.
Canon.	Hunt.
Caven.	Hunter.
Celaya.	Hyder.
Chastain.	Jackson.
Clayton.	James.
Colson.	Jefferson.
Coombes.	Johnson
Cowley.	of Anderson.
Crossley.	Jones of Atascosa.
Daniel.	Jones of Runnels.
Davidson.	Jones of Shelby.
Dean.	Kayton.
Devall.	Kyle of Hays.
Dunlap.	Kyle of Palo Pinto.
Dunagan.	Laird.
Duvall.	Lange.
Dwyer.	Latham.
Engelhard.	Lemens.
Fain.	Leonard.
Fisher.	Lindsey.
Ford.	Long.
Fuchs.	Mackay.
Glass.	Magee.
Golson.	Mathis.
Good.	McCullough.
Goodman.	McGregor.
Graves.	McKee.

Merritt.	Rollins.
Metcalfe.	Russell.
Mitcham.	Savage.
Moffett.	Scarborough.
Moore.	Scott.
Morrison.	Shannon.
Morse.	Smith.
Munson.	Stanfield.
Nicholson.	Steward.
Palmer.	Stinson.
Parkhouse.	Stovall.
Patterson.	Stubbeman.
Pavlica.	Tarwater.
Pope.	Tennyson.
Puryear.	Thomas.
Ramsey.	Tillery.
Ratliff.	Townsend.
Ray.	Van Zandt.
Reader.	Vaughan.
Reed of Bowie.	Wagstaff.
Reed of Dallas.	Walker.
Renfro.	Weinert.
Riddle.	Wells.
Roark.	Winningham.
Roberts.	Wood.
Rogers of Hunt.	Young.
Rogers of Ochiltree.	

## Absent

Anderson.	Cathey.
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## Absent—Excused

Bedford.	Lotief.
Bergman.	McDougald.
Harrison.	Shults.
Hester.	Turlington.
Johnson	
of Dimmit.	

A quorum was announced present.

Prayer was offered by Rev. Geo. W. Coltrin, Chaplain.

## LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Lotief for today, on motion of Mr. Fuchs.

Mr. Bedford for today and tomorrow, on motion of Mr. Tennyson.

Mr. McDougald for today and tomorrow, on motion of Mr. Hankamer.

Mr. Colson and Mr. Harrison for today, on motion of Mr. Barron.

Mr. Bergman for today, on motion of Mr. Canon.

Mr. Hester for today and the balance of the week, on motion of Mr. Hyder.